

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An article of swimwear comprising, in combination:

a swimsuit body configured to be stretched over a swimmer's body ~~so as to provide~~ such that the entire swimsuit body provides a conforming fit on a swimmer's body and having at least one aperture configured to encircle a portion of a swimmer's body when the swimsuit body is worn by a user; and

a resilient seal having an interior surface, a first portion of the interior surface secured about the at least one aperture on an exterior of the swimsuit body and a second portion of the interior surface extending beyond the swimsuit body and configured to contact the user's body when the swimsuit body is worn by the user, wherein an exterior surface of the resilient seal is completely exposed to an exterior of the swimsuit body.

2. (Original) The article of swimwear of claim 1, wherein the seal is secured to the swimsuit body with an adhesive.

3. (Original) The article of swimwear of claim 1, wherein the seal is secured to the swimsuit body with stitching.

4. (Original) The article of swimwear of claim 1, wherein the seal is secured to the swimsuit

body by welding.

5. (Original) The article of swimwear of claim 1, wherein the aperture is configured to encircle the waist of a user.
6. (Original) The article of swimwear of claim 1, wherein the aperture is configured to encircle an upper portion of the torso of a user.
7. (Original) The article of swimwear of claim 1, wherein the aperture is configured to encircle the arm of a user.
8. (Original) The article of swimwear of claim 1, wherein the aperture is configured to encircle the neck of a user.
9. (Original) The article of swimwear of claim 1, wherein the seal is formed of an elastomer.
10. (Original) The article of swimwear of claim 1, wherein the seal is formed of one of silicone, rubber, latex and urethane.

11. (Original) The article of swimwear of claim 1, wherein the swimsuit body is a full length body suit.

12. (Original) The article of swimwear of claim 1, wherein the swimsuit body is a tight configured to extend from a user's waist to a point proximate the user's ankles.

13. (Original) The article of swimwear of claim 1, wherein the swimsuit body is a pair of shorts.

14. (Original) The article of swimwear of claim 1, further comprising a harness assembly, the harness assembly connected to the seal at an upper edge of a front of the swimsuit body and to the seal at an upper edge of a back of the swimsuit body, the harness configured to extend over a user's shoulders.

15. (Original) The article of swimwear of claim 14, wherein the harness assembly is of unitary construction with the seal.

16. (Original) The article of swimwear of claim 14, wherein the harness assembly includes a pair of shoulder straps and a back strap, each shoulder strap secured at a first end thereof to the seal at the upper edge of the front of the swimsuit body and at a second end thereof to a first end of the back strap, an opposed second end of the back strap secured to the seal at the upper edge of the back of the swimsuit body.

17. (Original) The article of swimwear of claim 14, wherein the harness assembly includes a pair of shoulder straps, a back strap, and a pair of transverse straps, each shoulder strap being secured at a first end thereof to the seal at the upper edge of the front of the swimsuit body and at a second end thereof to a first end of the back strap, an opposed second end of the back strap being secured to first ends of each of the transverse straps, opposed second ends of the transverse straps being secured to the seal at opposed sides of the back of the swimsuit body.

18. (Original) The article of swimwear of claim 17, wherein the upper edge of the seal at the back of the swimsuit body and the transverse straps define an aperture.

19. (Original) The article of swimwear of claim 1, wherein at least a portion of an outer side of the seal is tapered to a peripheral edge of the seal.

20. (Original) The article of swimwear of claim 1, wherein an interior surface of the seal includes a recess configured to receive a portion of the swimsuit body.

21. (Currently Amended) An article of swimwear comprising, in combination:

a swimsuit body configured to be stretched over a swimmer's body ~~so as to provide~~ such that the entire swimsuit body provides a conforming fit on a swimmer's body and having at least

one aperture configured to encircle a portion of a swimmer's body when the swimsuit body is worn by a user and configured to be a leading edge of the swimsuit when the user is swimming; and

a resilient seal having an interior surface, a first portion of the interior surface secured about the at least one aperture on an exterior of the swimsuit body and a second portion of the interior surface extending beyond the swimsuit body and configured to contact the user's body when the swimsuit body is worn by the user wherein an exterior surface of the resilient seal is completely exposed to an exterior of the swimsuit body.

22. (Original) The article of swimwear of claim 21, wherein the seal is secured to the swimsuit body with an adhesive.

23. (Original) The article of swimwear of claim 21, wherein the seal is secured to the swimsuit body with stitching.

24. (Original) The article of swimwear of claim 21, wherein the aperture is configured to encircle the waist of a user.

25. (Original) The article of swimwear of claim 21, wherein the aperture is configured to encircle an upper portion of the torso of a user.

26. (Original) The article of swimwear of claim 21, wherein the aperture is configured to encircle the arm of a user.

27. (Original) The article of swimwear of claim 21, wherein the aperture is configured to encircle the neck of a user.

28. (Original) The article of swimwear of claim 21, wherein the seal is formed of one of silicone, rubber, and latex.

29. (Original) The article of swimwear of claim 21, wherein the swimsuit body is a full length body suit.

30. (Original) The article of swimwear of claim 21, wherein the swimsuit body is a tight configured to extend from a user's waist to a point proximate the user's ankles.

31. (Original) The article of swimwear of claim 21, wherein the swimsuit body is a pair of shorts.

32. (Original) The article of swimwear of claim 21, further comprising a harness assembly, the harness assembly connected to the seal at an upper edge of a front of the swimsuit body and to

the seal at an upper edge of a back of the swimsuit body, the harness configured to extend over a user's shoulders.

33. (Original) The article of swimwear of claim 32, wherein the harness assembly is of unitary construction with the seal.

34. (Original) The article of swimwear of claim 32, wherein the harness assembly includes a pair of shoulder straps and a back strap, each shoulder strap secured at a first end thereof to the seal at the upper edge of the front of the swimsuit body and at a second end thereof to a first end of the back strap, an opposed second end of the back strap secured to the seal at the upper edge of the back of the swimsuit body.

35. (Original) The article of swimwear of claim 32, wherein the harness assembly includes a pair of shoulder straps, a back strap, and a pair of transverse straps, each shoulder strap being secured at a first end thereof to the seal at the upper edge of the front of the swimsuit body and at a second end thereof to a first end of the back strap, an opposed second end of the back strap being secured to first ends of each of the transverse straps, opposed second ends of the transverse straps being secured to the seal at opposed sides of the back of the swimsuit body.

36. (Original) The article of swimwear of claim 35, wherein the upper edge of the seal at the

USSN 10/797,589

Response to February 23, 2010 Office Action

Amendment dated June 21, 2010

back of the swimsuit body and the transverse straps define an aperture.